

Appeal Decision

Site Visit made on 17 November 2020 by S Watson BA(Hons) MSc MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 November 2020

Appeal Ref: APP/G2815/D/20/3257965

39 Mallows Drive, Raunds, NN9 6SE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Danny Buzzard against the decision of East Northamptonshire Council.
 - The application Ref 20/00581/FUL, dated 15 May 2020, was refused by notice dated 14 July 2020.
 - The development proposed is a 2 storey side extension. Resubmission of previous application 20/00441/FUL.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was carried out by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue in this case is the effect of the proposal on the character and appearance of the street scene, including the public footpath to the side of the appeal site.

Reasons

4. The appeal site is on the north side of Mallows Drive and contains a semi-detached two-storey dwelling. A public footpath passes the side of the site at an angle leaving a wedge-shaped space between it and the host dwelling. The surrounding area is characterised by a mixture of detached and semi-detached properties of similar styles set within relatively spacious plots. The footpath is bounded on either side by tall fences and the two-storey side elevation of No 37.
5. The splayed shape of the proposed two-storey side extension, and the largely solid front elevation proposed would result in a prominent, jarring feature which would not be in keeping with the simple forms of either the host property or those dwellings nearby. Moreover, the proposal would unbalance the semi-detached pair of which the host dwelling forms part, and as a result the contribution they make to the quality of the surrounding residential environment would be eroded. As a consequence, I find that harm would be

- caused to the character and appearance to the streetcene. The use of complimentary materials as proposed would not mitigate the identified harm.
6. Moreover, given its siting immediately adjacent to the public footpath, the new extension would, taken with the side wall of the dwelling at No 37 significantly enclose the footpath within the vicinity of the site. It would result in a tall and imposing feature for those using the path, which would be likely to be overbearing for the users of this route, making it less pleasant to use as a result. The extension at No 37 does not set a precedent for harmful development and, although the impact would be limited due to the depth of the buildings, it would still be harmful to the attractiveness of the path. In considering this I am mindful of the existing streetlight serving the footpath, but I find this would not suitably maintain the attractiveness of the route.
 7. A side extension at No 48 Mallows Drive has been brought to my attention, however its location and style are not similar to that before me. I therefore find it is not directly comparable. Nevertheless, all proposals must be considered on their own merit.
 8. I therefore conclude that the proposed two-storey extension would, by way of its design and siting, jar with and harm the character and appearance of the surrounding area, including the footpath along the side of the site. The proposal therefore conflicts with Policy 8 of the Nottinghamshire County Council Joint Core Strategy and Policy R2 of the Raunds Neighbourhood Plan, the two policies encourage good design which responds to its immediate and wider context, local character, and integrates with pedestrian networks. The proposal would also conflict with the guidance on extensions and their surroundings, as set out in the Householder Extensions Supplementary Planning Document. It would also conflict with the high-quality design requirements of Paragraphs 127 and 130 of the National Planning Policy Framework.

Other Matters

9. The improved surveillance of the footpath would be limited given the high fence and the single clear-glazed window proposed on the first floor. Moreover, the appellant has not demonstrated that the footpath is affected by anti-social or criminal behaviour, and as such I find this matter does not outweigh the harm identified. Although I consider the footpath does not warrant the same protection as a habitable room with regards to living conditions, this does not outweigh the impact the proposal would cause to the attractiveness of the path identified above.
10. The appellant has also raised that the proposed extension is needed to provide additional space for the family of the current occupier. While this may be beneficial to the current occupiers, the harm identified would likely outlast this current need, as such I give it little weight. Moreover, while no environmental or sustainability harms were found as a result of the development, I do not find this to be a benefit of the scheme and therefore this is a neutral factor in this case.

Recommendation

11. For the reasons given above, I recommend that the appeal should be dismissed.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be dismissed.

RC Kirby

INSPECTOR